

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BRIAN KALLINEN, Derivatively On Behalf of  
E\*TRADE FINANCIAL CORPORATION,

Plaintiff,

vs.

MITCHELL H. CAPLAN, R. JARRETT  
LILIEN, ROBERT J. SIMMONS, GEORGE A.  
HAYTER, DARYL BREWSTER, RONALD D.  
FISHER, MICHAEL K. PARKS, C.  
CATHLEEN RAFFAELI, LEWIS E.  
RANDALL, DONNA L. WEAVER and  
STEPHEN H. WILLARD

Defendants,

- and -

E\*TRADE FINANCIAL CORPORATION, a  
Delaware Corporation,

Nominal Defendant.  
----- X

No. 07 Civ. 9697 (UA) ECF Case

ELECTRONICALLY FILED

**CORPORATE DISCLOSURE STATEMENT**  
**PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 7.1**

Pursuant to Federal Rule of Civil Procedure 7.1, the undersigned attorney of record for Nominal Defendant E\*TRADE Financial Corporation ("E\*Trade") certifies that there exist no parent companies, subsidiaries, or affiliates of E\*Trade that have outstanding securities in the hands of the public except for a single affiliate company, IL&FS Investsmart Limited (India).

Dated: New York, New York  
November 13, 2007

DAVIS POLK & WARDWELL

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